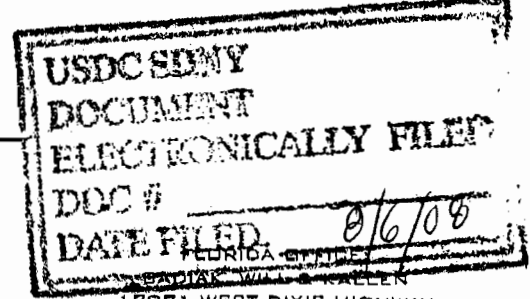


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NORTH MIAMI BEACH, FL 33160

August 1, 2008

**VIA TELEFAX 212-805-6717**

Honorable Kevin Nathaniel Fox  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

**MEMO ENDORSED**



RE: Fireman's Fund Insurance Company v. Sung II Transportation  
Docket No.: 07 CV 6863 (KNF)  
Our Ref.: 07-H-538-JK

Dear Honorable Kevin Nathaniel Fox:

As your Honor will recall we represent the plaintiff and wrote to your Honor recently on July 1, 2008, advising that we were still awaiting the final payment on our settlement with defendant of \$2,500.00. Your Honor granted an extension to the time within which to restore the captioned matter to your Honor's calendar if payment had not been made by August 1, 2008. We have been attempting to confirm with opposing counsel with regard to the last payment as we have yet to receive the final payment. We spoke with opposing counsel yesterday afternoon and he advised us that his client was mailing the final payment yesterday. The current extension expires today and we do not expect to receive the check before the expiration date.

We respectfully request, therefore, for good orders sake, that your Honor provide a further and final extension of the current time within which to re-open this matter up to and including August 8, 2008, in the event that the check does not, in fact, reach our office as promised.

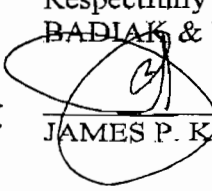
We thank your Honor for your kind attention and we apologize for having to bring this matter before your Honor once again. We respectfully request that your Honor consider extending the current discontinuance up to and including August 8, 2008 to permit the Settlement Agreement to be consummated despite the extremely late payment by the defendant of the final installment.

8/6/08  
Application granted.  
SO ORDERED:  
Kevin Nathaniel Fox, U.S.M.J.

JPK:jm

cc: **VIA TELEFAX 718-463-6789**  
Law Offices of E. Peter Shin  
158-14 Northern Boulevard, 2<sup>nd</sup> Floor  
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Respectfully submitted,  
BADIAK & WILL, LLP

  
JAMES P. KRAUZLIS